

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABDUL NEVAREZ, et al.,

Plaintiffs,

v.

FORTY NINERS FOOTBALL
COMPANY, LLC, et al.,

Defendants.

Case No. 16-cv-07013-LHK (SVK)

**ORDER REGARDING THE PARTIES’
OCTOBER 19, 2018 JOINT
DISCOVERY LETTER**

Re: Dkt. No. 256

On October 19, 2018, the Parties submitted a joint discovery letter regarding the sufficiency of Defendants’ responses to four of Plaintiffs’ interrogatories and the sufficiency of Defendants’ production of ticketing information from the Archtics ticketing database. ECF 256. The Court held a discovery hearing on October 24, 2018, and for the reasons stated during the hearing **ORDERS** as follows.

- The Court **DENIES** Plaintiffs’ request to compel Defendants to produce the Archtics database. However, Defendants **SHALL, by October 31, 2018**, produce an updated version of the Attendance Excel Spreadsheet/Archtics List (“Spreadsheet”). The Spreadsheet shall be updated regarding both people and events as discussed at the hearing. It shall include: (1) persons for whom Defendants were able to make an “indirect” match to either a name or residence address, as described at the hearing; (2) persons who opted-out of the original *Belair* notice, whether identified by a direct or indirect match; (3) persons who purchased accessible tickets for an event at Levi Stadium from October 2017 to October 2018, whether identified by direct or indirect match; and (4) persons who

submitted “Gold Cards” to Defendants,¹ whether identified by direct or indirect match. Defendants must also update the Spreadsheet to include all events in the Archtics database at Levi’s Stadium through the present. Defendants shall continue to update the Spreadsheet every **two (2) months** until trial regarding new class members and events.

- **Interrogatory #4:** Defendants **SHALL, by October 31, 2018**, provide an amended response to Interrogatory #4 and produce an updated Spreadsheet as described above. To the extent that Defendants rely on documents other than the updated Spreadsheet to respond to Interrogatory #4, such as Event Audit reports, Defendants must identify those documents by Bates number or other specific identifier.
- **Interrogatory #5:** Defendants **SHALL, by October 31, 2018**, provide an amended response to Interrogatory #5 that answers the question, either directly or by identifying specific documents, as to the number of wheelchair tickets released for sale during the injunctive relief period, and on what dates said releases occurred. Defendants shall also produce “Change Journal” reports and identify those reports by Bates number or other specific identifier.
- **Interrogatories #24 and #25:** As noted above, by **October 31, 2018**, Defendants **SHALL** amend their responses to these interrogatories and the Spreadsheet to include persons who opted out of the *Belaire* notice.

SO ORDERED.

Dated: October 25, 2018



SUSAN VAN KEULEN
United States Magistrate Judge

¹ See ECF 231